REMARKS

The present amendment is responsive to the Final Office Action dated September 14, 2006. Claims 1, 2, 19, 20, 35 and 37 have been amended. Claims 39-48 have been added. No new matter has been introduced by these amendments and new claims. Claims 8-18, 25-34, 36 and 38 have been withdrawn from further consideration and claims 3-6 and 21-24 have been canceled. Claims 1, 2, 7-20, 25-38 and 39-48 are pending.

Claim Rejections 35 USC 112

Claims 1, 2, 7, 19, 20, 35 and 37 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 1, 19, 20, 35 and 37 have been amended. In particular, claim 1 has been amended to recite, in part, an "indexing means for adding an address on the recording means as index to said packets read out by said memory control means." Support for the amendment may be found, by way of example only, on page 17, lines 4-13 of the present application. Claims 19, 20, 35 and 37 have been amended in a similar manner. Thus, it is believed that the rejection pertaining to enablement has been addressed and thus it is respectfully requested that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claims 2 and 20 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 2 and 20 have been amended. In particular, claim 2 has been amended to recite, in part, said "transferring of said packets is made cluster by cluster of a predetermined data amount." Support for this amendment may be found, by way of example only, on page 22, lines 4-10 of the present application. Claim 20 has been amended in a similar manner. Thus, it is believed that the rejection pertaining to

written description has been addressed and thus applicants respectfully request that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

Claim 37 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 37 has been amended as suggested by the Examiner. Thus, it is believed that the rejection pertaining to indefiniteness has been addressed and thus it is respectfully requested that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections 35 USC 102

Claims 1, 7, 19, 35 and 37 were rejected under 35 U.S.C. § 102(a) as being unpatentable over Applicant Admitted Prior Art (AAPA: pages 1-9 and FIG. 1).

Independent claim 1 has been amended to recite an information processing apparatus that includes "memory control means for controlling writing and reading said packets of said memory means and for issuing a command to prepare transferring before an amount of said packets stored by said memory means reaches a full capacity." Claim 1 was also amended to recite a "packets transferring control means for permitting to write access to said recording means in accordance with said command from said memory control means, so that said packets are transferable for recording to said recording means from said index adding means without a control of said control means." Support for these amendments may be found, by way of example only, on page 22, lines 24-27 of the present application.

It is respectfully submitted that the portions of AAPA relied on by the Examiner in explaining the above 102 rejection of claim 1 do not appear to specifically disclose the above-identified features of claim 1 for the reasons below.

AAPA fails to disclose the above-identified limitations of claim 1. AAPA discloses a host I/F (DMA) 29

component which functions as an interface for communicating with CPU (i.e., control means) 1 through bus 3. The CPU executes a command to the hard disk, sets the LBA at each block transfer and sets the transfer start timing, etc. In other words, the CPU 1 controls the transfer of data. As a result, the performance of the CPU is negatively impacted. In contrast, claim 1 recites "packets transferring control means … <u>without</u> control of said control means." In other words, AAPA transfers packets <u>with</u> or under the control of the CPU whereas the apparatus of claim 1 transfers packets <u>without</u> the control of the control means. Moreover, AAPA does not disclose a "memory control means" as recited in amended claim 1.

Claims 19, 35 and 37 have been amended in a similar manner as claim 1 and should be allowable for at least the same reasons as claim 1.

Thus, for at least these reasons, applicants respectfully submit that independent claims 1, 19, 35 and 37 are in condition for allowance. Claim 7 depends from claim 1 and contains all of the limitations thereof.

Claim Rejections 35 USC 103

Claims 2 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Mergard (US. 5,881,248).

Claims 2 and 20 depend from claims 1 and 19, respectively, and include the limitations thereof. As stated above, AAPA fails to disclose the above-identified features of claims 1 and 19. Mergard does not overcome the deficiencies of AAPA. Thus, applicants submit that claims 2 and 20 are also in condition for allowance.

New claims

Claims 39-48 have been added. Claims 39 and 40 depend from claim 1 directly or indirectly and should be allowed for at least the same reasons as claim 1. Claim 39 is directed to a command relating to memory control means and a logical block address (LBA). Claim 40 is directed to packets transferring control means. Support for these claims can be found in the application. No new matter has been added.

Moreover, claims 41 and 42 depend from claim 19 and recite similar features as claims 39 and 40, respectively. Thus, claims 41 and 42 should be allowable for at least the same reasons as claim 19.

In addition, claims 43, 44 and 45 depend from claim 35 and should be allowable for at least the same reasons as claim 35. Claim 43 recites similar features as claim 20 and claims 44 and 45 recite similar features as claims 41 and 42, respectively.

Furthermore, claims 46, 47 and 48 depend from claim 37 and should be allowable for at least the same reasons as claim 37. Claim 46 recites similar features as claim 20 and claims 47 and 48 recite similar features as claims 41 and 42, respectively.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with

this requested Final Amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 14, 2006   Respectfully submitted,

By _____
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